

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 29 2005

FILED

JUL 12 2005

LORETTA G. WHYTE  
DOCKET NO. 1657

JUN 13 2005

FILED  
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX PRODUCTS LIABILITY LITIGATION 05-2354-B****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-14)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 542 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck

Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

JUN 29 2005

**CLERK'S OFFICE  
A TRUE COPY**

JUL 20 2005

Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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JUL 20 2005  
CLERK'S OFFICE  
EASTERN DISTRICT OF LOUISIANA  
New Orleans, LA  
Case No. 05-2354-B  
1483

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**SCHEDULE CTO-14 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
ALABAMA NORTHERN		
ALN 1 05-917	Robert Abernathay, etc. v. Merck & Co., Inc.	05-2880
ALN 2 05-890	Dawn Kirkland v. Merck & Co., Inc.	05-2881
ALN 6 05-906	Wilbur Clifford Davis v. Merck & Co., Inc.	05-2882
ALN 6 05-907	Douglas McArthur Foster v. Merck & Co., Inc.	05-2883
ALABAMA SOUTHERN		
ALS 1 05-277	Hershel Carl Martin, Jr., et al. v. Merck & Co., Inc.	05-2884
ARKANSAS EASTERN		
ARE 3 05-90	Stephen Cook v. Merck & Co., Inc.	05-2885
ARE 5 05-141	William Beck v. Merck & Co., Inc.	05-2886
ARKANSAS WESTERN		
ARW 6 05-6036	John Munro, et al. v. Merck & Co., Inc.	05-2887
CALIFORNIA CENTRAL		
CAC 2 05-1570	Grant Desmet, et al. v. Merck & Co., Inc.	05-2888
CAC 2 05-3106	Scott Blair v. Merck & Co., Inc.	05-2889
CALIFORNIA EASTERN		
CAE 2 05-750	<del>John Martin v. Merck &amp; Co., Inc., et al.</del> Opposed 6/29/05	
CAE 2 05-914	Carol Davidson, et al. v. Merck & Co., Inc.	05-2890
CALIFORNIA NORTHERN		
CAN 3 05-1039	Bijuli Pande v. Merck & Co., Inc.	05-2891
CAN 3 05-1838	Glen Martin, et al. v. Merck & Co., Inc.	05-2892
CAN 3 05-1839	Roy J. Gramlich v. Merck & Co., Inc.	05-2893
CAN 4 05-1947	Howard Mathews, et al. v. Merck & Co., Inc.	05-2894
CALIFORNIA SOUTHERN		
CAS 3 05-943	<del>Alvin Williams v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-944	<del>Margaret Stein v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-945	<del>Otis Anderson v. Merck &amp; Co., et al.</del> Opposed 6/24/05	
CAS 3 05-947	<del>Joan Ongley v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-948	<del>Hilda Armenta v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-949	<del>Robert Levesque v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-950	<del>Clancy Lucille Holloway v. Merck &amp; Co., et al.</del> Opposed 6/24/05	
CAS 3 05-951	<del>Laura Martinez v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-952	<del>Leicia Brown v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-953	<del>Clarice Forbes v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-954	<del>Robert Castro v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-957	<del>Joseph Capozzi v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-958	<del>Anna Lemmons v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-959	<del>Richard Brown v. Merck &amp; Co., et al.</del> Opposed 6/24/05	
CAS 3 05-960	<del>Aida Hernandez v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-961	<del>Harvey Persh v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-962	<del>Robert Scott v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-963	<del>Violet Abramson v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	
CAS 3 05-964	<del>Carmen Esquer v. Merck &amp; Co., Inc., et al.</del> Opposed 6/24/05	

<u>DISTRICT</u>	<u>DIV.</u>	<u>C.A.</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
				<u>SEC. L/3</u>
FLORIDA MIDDLE				
FLM	2	05-202	Robert Lane v. Merck & Co., Inc.	05-2895
FLM	3	05-374	Mary Ann Cantwell v. Merck & Co., Inc.	05-2896
FLM	8	05-773	Ruby White v. Merck & Co., Inc., et al.	05-2897
FLM	8	05-902	Sigmund T. Kraszka, et al. v. Merck & Co., Inc.	05-2898
FLORIDA NORTHERN				
FLN	3	05-153	Jane C. Baker, etc. v. Merck & Co., Inc.	05-2899
FLORIDA SOUTHERN				
FLS	0	05-60121	Abigail Altu v. Merck & Co., Inc.	05-2900
FLS	0	05-60386	Peter Cavari, et al. v. Merck & Co., Inc.	05-2901
FLS	1	05-21135	Launa Cobb v. Merck & Co., Inc.	05-2902
GEORGIA MIDDLE				
GAM	5	05-137	Marinda Wiley v. Merck & Co., Inc.	05-2903
GAM	6	05-19	Joe A. Braswell v. Merck & Co., Inc.	05-2904
GEORGIA NORTHERN				
GAN	1	05-1125	Clarence L. Carr v. Merck & Co., Inc.	05-2905
GEORGIA SOUTHERN				
GAS	2	05-87	Melvie Whitehead v. Merck & Co., Inc.	05-2906
GAS	2	05-88	Mary C. Washington v. Merck & Co., Inc.	05-2907
GAS	2	05-89	Louise H. Dallas v. Merck & Co., Inc.	05-2908
GAS	5	05-33	Linda L. Poole v. Merck & Co., Inc.	05-2909
GAS	5	05-34	Lavada Sears v. Merck & Co., Inc.	05-2910
IOWA SOUTHERN				
IAS	4	05-158	James B. Smith, etc. v. Merck & Co., Inc.	05-2911
IDAHO				
ID	1	05-162	Calvin Kinghorn v. Merck & Co., Inc.	05-2912
ILLINOIS NORTHERN				
ILN	1	05-2715	Edward Lee Barrow, etc. v. Merck & Co., Inc.	05-2913
ILN	1	05-2744	Aldo Calandra, et al. v. Merck & Co., Inc.	05-2914
ILLINOIS SOUTHERN				
ILS	3	05-315	Rosie-May Spann v. Merck & Co., Inc., et al. Opposed 6/28/05	
ILS	3	05-328	Marilyn Fleming v. Merck & Co., Inc.	05-2915
ILS	3	05-330	Gary Willis v. Merck & Co., Inc.	05-2916
ILS	3	05-340	Nancy Marcum v. Merck & Co., Inc.	05-2917
KANSAS				
KS	2	05-2189	Nancy L. Brockschmidt, etc. v. Merck & Co., Inc.	05-2918
LOUISIANA MIDDLE				
LAM	3	05-312	Lynois LeBeau, et al. v. Merck & Co., Inc.	05-2919
LOUISIANA WESTERN				
LAW	2	05-827	Geneva Thibodeaux, et al., et al. v. Merck & Co., Inc.	05-2920

DISTRICT DIV. C.A

CASE CAPTIONEDLA  
SEC. L/3

MASSACHUSETTS			
MA 1 05-10819	Eleanor Campanale, etc. v. Merck & Co., Inc.		
MA 1 05-10882	Marie Stanley v. Merck & Co., Inc.	05-2921	
MA 1 05-10931	Commonwealth Care Alliance, et al. v. Merck & Co., Inc.	05-2922	
MA 1 05-10947	Jeanette Anderson, etc. v. Merck & Co., Inc.	05-2923	
		05-2924	
MARYLAND			
MD 1 05-1219	Sadie M. Testerman v. Merck & Co., Inc.		
MD 1 05-1258	Hugh Nicholson, et al. v. Merck & Co., Inc.	05-2925	
		05-2926	
MINNESOTA			
MN 0 05-862	Lydia Chowning, etc. v. Merck & Co., Inc.	05-2927	
MISSOURI EASTERN			
MOE 4 05-557	Dorothy Ganser, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-630	Lavona Neal, et al. v. Merck & Co., Inc., et al.		
MOE 4 05-631	Dorothy Kassing, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05	05-2928	
MOE 4 05-632	Shirley Zook, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-665	Andrew Kisty, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-666	Virginia Kell, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-667	Margaret Molder, et al. v. Merck & Co., Inc., et al.		
MOE 4 05-668	Mary Benson, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05	05-2929	
MOE 4 05-669	Earlie Douglas, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-670	Walter Dochsteiner, et al. v. Merck & Co., Inc., et al.		
MOE 4 05-671	Ricardo Lara, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05	05-2930	
MOE 4 05-672	Joseph Squillace, et al. v. Merck & Co., Inc., et al.		
MOE 4 05-673	Loretta Trinidad, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05	05-2931	
MOE 4 05-674	David Moultrie, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
MOE 4 05-675	Irene Rogers, et al. v. Merck & Co., Inc., et al. Opposed 6/28/05		
NORTH CAROLINA WESTERN			
NCW 1 05-205	Susan Carol Fisher v. Merck & Co., Inc.	05-2932	
NEW JERSEY			
NJ 3 05-1491	Ferdinand Minibauer v. Merck & Co., Inc.	05-2933	
NEW MEXICO			
NM 1 05-488	Magda Wright, etc. v. Merck & Co., Inc.	05-2934	
NEW YORK EASTERN			
NYE 1 05-2313	John Colligan v. Merck & Co., et al.	05-2935	
NEW YORK NORTHERN			
NYN 1 05-518	William R. Crounse, et al. v. Merck & Co., Inc.	05-2936	
NEW YORK SOUTHERN			
NYS 1 05-4428	Diane Reid v. Merck & Co., Inc., et al.	05-2937	
NEW YORK WESTERN			
NYW 6 05-6211	Gregory Saulpaugh, et al. v. Merck & Co., Inc., et al. Opposed 6/21/05		

<u>DISTRICT</u>	<u>DIV.</u>	<u>C.A.</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
				<u>SEC. L/3</u>
OHIO NORTHERN				
OHN 1	05-1166		Denzil Mahon, et al. v. Merck & Co., Inc.	05-2938
OHN 1	05-1175		Eugene Hamilton v. Merck & Co., Inc.	05-2939
OHN 1	05-1176		Virginia Green v. Merck & Co., Inc.	05-2940
OHN 1	05-1177		Laura Grodek, et al. v. Merck & Co., Inc.	05-2941
OHN 1	05-1178		Julian D. Cohen, et al. v. Merck & Co., Inc.	05-2942
OHN 1	05-1179		Charles R. Wireman, et al. v. Merck & Co., Inc.	05-2943
OHIO SOUTHERN				
OHS 1	05-301		Mary Rose Couch, et al. v. Merck & Co., Inc., et al.	05-2944
OHS 2	05-330		Judith K. Drum v. Merck & Co., Inc.	05-2945
OHS 2	05-355		Deloris Ivers, et al. v. Merck & Co., Inc.	05-2946
OHS 2	05-434		Steven Knicely, et al. v. Merck & Co., Inc.	05-2947
PENNSYLVANIA EASTERN				
PAE 2	05-1856		Lynda Richardson, etc. v. Merck & Co., Inc., et al.	05-2948
PAE 2	05-1875		Nancy Brenner, et al. v. Merck & Co., Inc., et al.	05-2949
PAE 2	05-2005		Henry J. Myers, et al. v. Merck & Co., Inc.	05-2950
PAE 2	05-2014		Delores M. Korman, et al. v. Merck & Co., Inc.	05-2951
PAE 2	05-2110		Scott E. French, et al. v. Merck & Co., Inc.	05-2952
PAE 2	05-2156		Robert E. Pierson, et al. v. Merck & Co., Inc.	05-2953
PAE 2	05-2204		Frederick Bianchino, Jr., et al. v. Merck & Co., Inc.	05-2954
PAE 2	05-2269		Donald Payne, et al. v. Merck & Co., Inc., et al.	05-2955
PENNSYLVANIA MIDDLE				
PAM 3	05-840		Bernard L. Holleran, M.D. v. Merck & Co., Inc.	05-2956
PAM 4	05-934		Timothy Lewis v. Merck & Co., Inc.	05-2957
SOUTH CAROLINA				
SC 6	05-1216		Mark A. Roberson v. Merck & Co., Inc.	05-2958
TENNESSEE EASTERN				
TNE 1	05-104		Mickey E. Cunningham, et al. v. Merck & Co., Inc.	05-2959
TNE 1	05-106		Herbert L. Cannon, et al. v. Merck & Co., Inc.	05-2960
TNE 1	05-112		Wendy A. Burke v. Merck & Co., Inc.	05-2961
TENNESSEE MIDDLE				
TNM 3	05-347		Lorraine Sawyer, etc. v. Merck & Co., Inc.	05-2962
TENNESSEE WESTERN				
TNW 1	05-1119		Betty Elaine Kreider, et al. v. Merck & Co., Inc., et al.	05-2963
TNW 1	05-1120		Evelyn S. Ellison v. Merck & Co., Inc., et al.	05-2964
TNW 1	05-1121		Teresa A. Davis v. Sarah C. Capoccacia, et al.	05-2965
TNW 2	05-2294		Kellah M. Allgood, et al. v. Merck & Co., Inc., et al.	05-2966
TNW 2	05-2354		Phiebie Harrington v. Merck & Co., Inc., et al.	05-2967
TEXAS EASTERN				
TXE 2	05-167		Pansy Adams, et al. v. Merck & Co., Inc.	05-2968
TEXAS NORTHERN				
TXN 4	05-306		Jimmy E. Davis v. Merck & Co., Inc.	05-2969
VIRGINIA EASTERN				
VAE 3	05-202		Ambrose S. Chatam v. Merck & Co., Inc.	05-2970
VAE 3	05-203		Ann Gail Newton, etc. v. Merck & Co., Inc.	05-2971

<u>DISTRICT</u>	<u>DIV.</u>	<u>CA</u>	<u>CASE CAPTION</u>	<u>EDLA</u>	<u>SEC.</u>
VIRGINIA WESTERN					
VAW	5	05-25	Michael L. Buracker v. Merck & Co., Inc.		05-2972
VERMONT					
VT	2	05-112	Guy Christie, et al. v. Merck & Co., Inc.		05-2973
WASHINGTON EASTERN					
WAE	2	05-124	Shirley Dubuque, et al. v. Merck & Co., Inc.		05-2974
WASHINGTON WESTERN					
WAW	2	05-759	<del>Robert K. Waitt v. Merck &amp; Co., Inc., et al.</del> Opposed 6/28/05		
WISCONSIN WESTERN					
WIW	3	05-78	Janice Lane, etc. v. Merck & Co., Inc.		05-2975
WYOMING					
WY	2	05-129	Hazel Rudy, etc. v. Merck & Co., Inc.		05-2976

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**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

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